

RESOLUTION NO. 2011-36

A RESOLUTION OF THE LODI CITY COUNCIL
SETTING RESIDENTIAL WATER METER
INSTALLATION CHARGES

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WHEREAS, the Council of the City of Lodi finds as follows:

1. The City of Lodi provides water supply service to its citizens;
2. The State has mandated that all water supply services be metered by January 1, 2025;
3. Staff recommends establishment of a fee and payment schedule to fund the installation of water meters;
4. The water meter infrastructure charge is to be set at \$300 per meter installation and is to be assessed against all single-family homes and duplex, triplex, and fourplex residential buildings that are currently served;
5. The water meter infrastructure charge will be due on June 30, 2011;
6. Properties not paying by June 30, 2011, will be automatically enrolled in a 36-month installment plan bearing interest at the Local Agency Investment Fund rate as of December 2010 plus one percent, for a total interest rate of 1.46 percent and a payment total of \$8.52 per month;
7. Properties that have already paid for a meter will not be charged anything for their meter installation;
8. Properties that installed their own meters will be refunded the difference between their installation costs and \$300;
9. The Council directed that notice of a hearing thereon be given to the property owners and water service utility customers in the City, with such notice to include, among other matters, the information required to be included pursuant to California law;
10. Pursuant to California Constitution, Article XIII C and Government Code 53755, such notice has been mailed to those property owners and account holders, at least 45 days before the hearing, as evidenced by a Certificate of Mailing on file with the City Clerk;
11. The Council also directed that notice of a hearing thereon be given with such notice to include the information required to be included pursuant to Government Code section 54354.5;
12. Such notice has been published once each week for two weeks, in accordance with Government Code section 54354.5, in the Lodi News-Sentinel as evidenced by Proofs of Publication on file with the City Clerk;
13. On March 16, 2011, the City Council conducted said public hearing, at which time the City Council heard all objections and protests to the proposed residential water meter installation charges;

14. Written protests against the proposed residential water meter installation charges were not presented by a majority of the property owners and water utility customers; and
15. The proposed residential water meter installation charges are not discriminatory or excessive, are sufficient under Government Code section 54515, comply with the provisions or covenants of any outstanding revenue bonds of the City payable from the revenues of the enterprise, comply with the provisions of Title 5, Division 2, Chapter 6 of the Government Code, and are in compliance with all other applicable law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi as follows:

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. Lew of Charges. Pursuant to Sections 13.08.010, 13.12.240, and 13.16.110 of the Lodi Municipal Code, residential water meter installation charges as attached hereto as Exhibit A are hereby approved.

Section 3. Delinquency/Assessment. Properties not paying by June 30, 2011, will be delinquent and automatically enrolled in a thirty-six month installment plan bearing interest at the Local Agency Investment Rate as of December 2010 plus 1 percent for a total interest rate of 1.46 percent. Payments will total \$8.52 per month. The delinquency shall be secured as a lien on the applicable property as authorized by Government Code Section 54354.

Section 4. Effective Date. This resolution shall take effect from and after the date of its passage.

Dated: March 16, 2011

I hereby certify that Resolution No. 2011-36 was passed and adopted by the City Council of the City of Lodi in a regular meeting held March 16, 2011, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Katzakian, and Mayor Johnson

NOES: COUNCIL MEMBERS – Mounce and Nakanishi

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk

Exhibit A

RESIDENTIAL WATER METER INSTALLATION CHARGES

Water Meter Procurement and Installation Due June 30, 2011	\$300 due by June 30, 2011
36-Month Installment Plan July 1, 2011 – June 30, 2014	\$8.52/month